

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN PAUL JOHNSON,
Plaintiff,

v.

CITY OF SANTA ROSA, et al.,
Defendants.

Case No. [23-cv-02478-JSC](#)

ORDER TO SHOW CAUSE

Plaintiff filed this excessive force action against the City of Santa Rosa and two individual defendants in May 2023. More than 90 days after the complaint was filed, Plaintiff had not filed proof of service on any defendant. Accordingly, the Court ordered Plaintiff to show cause why the action should not be dismissed for failure to serve defendants. (Dkt. No. 7.) Plaintiff responded that he had recently served the City of Santa Rosa, and was in the process of serving the individual defendants. (Dkt. No. 12.) As of the October 26, 2023 initial case management conference, Plaintiff had still not served the individual defendants, although defendant City appeared. The Court set case deadlines and scheduled a further case management conference for February 15, 2024 with a joint case management conference statement due February 8, 2024. (Dkt. Nos. 25, 26.)

As of the date of this Order, Plaintiff has still not filed proof of service on the individual defendants. And, Plaintiff did not participate in the filing of a joint case management conference statement and did not file a separate statement. The City also represents that Plaintiff has not produced initial disclosures and has not responded to the City's efforts to obtain compliance with Plaintiff's initial disclosure requirements. (Dkt. No. 28.)

As Plaintiff is making no effort to prosecute this action, he is ORDERED TO SHOW

1 CAUSE why this action should not be dismissed pursuant to Federal Rule of Civil Procedure 41
2 for failure to prosecute. Plaintiff shall respond to this Order in writing by February 13, 2024 with
3 an explanation as to why the case should not be dismissed despite his dilatory conduct. The
4 further status conference scheduled for February 15, 2024 at 1:30 p.m. via Zoom remains on
5 calendar. Plaintiff is warned failure to respond to this Order and attend the February 15, 2024 case
6 management conference will result in dismissal of this action.

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8 **IT IS SO ORDERED.**

9 Dated: February 9, 2024

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12 JACQUELINE SCOTT CORLEY
13 United States District Judge
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